

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

FILED
THOMAS W. HAGEM
CLERK OF COURT
DEC 26 2024 11:46 A
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

RICHARD LASK, : Case No. 1:24-cv-00455
Plaintiff, : Judge Jeffery P. Hopkins
vs. : Magistrate Judge Elizabeth P. Deavers
RANDY WALTERS, et al., :
Defendants. :
:

ANSWER TO COURT'S SHOW CAUSE ORDER
ISSUED ON 12/06/2024

Now comes Plaintiff, Richard Lask, pro se, pursuant to this Court's ORDER to SHOW CAUSE within TWENTY-ONE (21) DAYS of the date of this order entered on December 6, 2024, and pursuant to Federal Rule of Civil Procedure 4(m). On the Court's own motion it not appearing that the Plaintiff (did not attempt service of summons with copy of the Complaint) has not effectuated service on Defendant Chandler Rule within 90 days after the complaint is filed. Fed. R. Civ. P. 4(m). The Plaintiff avers their is good cause why this Court should not dismiss and why an extension of time to effect service on Defendant Chandler Dalton Rule should be allowed. A memorandum in support is attached hereto, with Exhibit's "A" through "D" in the form of an Sworn Affidavit.

Respectfully submitted,

Richard Lask

Richard Lask #A748-772
North Central Correctional
Institution (Complex)
P.O. Box 1812
Marion, Ohio 43302-1812

MEMORANDUM IN SUPPORT TO SHOW GOOD CAUSE FOR
EXTENSION OF TIME TO EFFECT SERVICE ON THE
DEFENDANT CHANDLER RULE

The Plaintiff, Richard Lask, pro se, submits under the penalty of perjury 28 U.S.C. § 1746, as well as his declarations of Sworn Affidavit herein before a Notary Public that: Plaintiff submitted a copy of the "original" Complaint this Court Ordered amended due to excessive length. (ECF No.1.) Pursuant to Rule 8 of the Federal Rules of Civil Procedure requires a pleading that states "a short and plain statement of the claim showing that the pleader is entitled to relief". Fed. R. Civ. P. 8(a)(2). Plaintiff effectuated a summons to all the Defendants with a copy of the Complaint in the original filing.

Moreover, the Plaintiff avers in his Amended Complaint he submitted service of summons on all the Defendant for the "second time" by "certified mail return receipt" requested. See Exhibit's "A" copy of Summons served upon Defendant in this case Chandler Rule at Kansas HP Troop B., 3501 N.W. Highway 24 Topeka, KS 66618 Phone: 785-296-6800. See (Complaint attachment no.# 3, Exhibit - "A")

Furthermore, service of the summons and complete copy of the Complaint was included received and signed for by one Angela Jackson on 10/23/2024, Plaintiff's sister Sonya Fox paid for and delivered said certified return receipt mail to all the Defendants with proof thereof and can testify to the same. See Exhibit - "B" Article Addressed to: Chandler Rule and signed for by Angela Jackson. Plaintiff submits that Exhibit's "C" and "D" show service of summons and a copy of Complaint sent to the remaining Defendants herein same.

The Plaintiff avers that he had a personal friend of the family call the Kansas Highway Patrol at the phone number listed up above 785-296-6800 as of to-day, and discovered that Chandler Rule no longer works their as a Highway Patrolman. After a search on "Fast People Search.com", Plaintiff discovered Defendant Chandler Rule (moved out of state) lives at the listed current address: 3668 Sienna Ave., Las Cruces, NM 88012 phone: 785-484-2118; and previous phone number 785-493-6059.

CONCLUSION

For the foregoing reasons, the Plaintiff...prays the Court will find that good cause has been presented to the Court's Show Cause Order, supported with sworn affidavit before a Notary Public same.

Respectfully submitted,

Richard Lask
Richard Lask #A748-772

Sworn to before me and subscribed in my presence on this 20 day
of December, 2024

Amber Neill



AMBER NEILL
Notary Public, State of Ohio
My Commission Expires
November 05, 2029

CERTIFICATE OF SERVICE

I, Richard Lask, #A748-772, Plaintiff, pro se, certify under penalty of perjury 28 U.S.C. § 1746, that the original copy of Plaintiff's Answer to the Court's Show Cause Order, to show good cause for an extension to effect service of summons with a copy of the Complaint upon Defendant Chandler Rule, has been sent by regular U.S. Mail, for filing in the U.S. District Court, Southern - District of Ohio, Office of the Clerk, Potter Stewart US Courthouse Room 103, 100 East Fifth Street, Cincinnati, OH. 45202 on this Sixteenth day of December, 2024; postage prepaid; and a copy was mailed to Matthew S. Teetor, Attorney at Law, Teetor/Westfall 200 E. Campus View Blvd., Ste 200 Columbus, OH. 43235; a copy was mailed to Cooper D. Bowen & Brian T. Smith, Attorney's at Law, 600 Vine St., Suite 2650, Cincinnati, OH. 45202; and a copy was mailed to Defendant Chandler Rule, 3668 Sienna Ave., Las Cruces, NM 88012.

Respectfully submitted,

Richard Lask
Richard Lask #A748-772
North Central Correctional Institution (Complex), P.O. Box 1812
Marion, OH. 43302-1812

Exhibit - "A", page one of two:

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the
Southern District of Ohio
Western Division

RICHARD LASK

Plaintiff

v.

RANDY WALTERS, et al.

Defendant

Civil Action No. 1:24-cv-00455

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

Chandler Rule - Kansas Highway Patrol Trooper
Kansas HP Troop B.,
3501 N. W. Highway 24
Topeka, Kansas 66618
Phone: 785-296-6800

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Mr. Richard Lask, Plaintiff
#A748-772
North Central Correctional Institution
P.O. Box 1812
Marion, OH 43302-1812

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

SANDY OPACICH, CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Page 1 of 2.

Page 2 of 2

USM-285 is a 5-part form. Fill out the form and print 5 copies. Sign as needed and route as specified below.U.S. Department of Justice
United States Marshals Service**PROCESS RECEIPT AND RETURN**
See "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF	Richard Lask	COURT CASE NUMBER
DEFENDANT	Chandler Rule, Kansas Highway Patrol Trooper	TYPE OF PROCESS
SERVE AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN Chandler Rule, Trooper - Kansas Highway Patrol, Kansas HP Troop B., ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) 3501 N. W. Highway 24, Topeka, Kansas 66618	
SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW		Number of process to be served with this Form 285 Number of parties to be served in this case Check for service on U.S.A.
Richard Lask #A748-772 North Central Correctional Institution P.O. Box 1812 Marion, OH 43302-1812		

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

Fold

Fold

Signature of Attorney other Originator requesting service on behalf of	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER	DATE
X <u>Richard Lask</u>			X <u>9-28-24</u>

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin	District to Serve	Signature of Authorized USMS Deputy or Clerk	Date
	No. _____	No. _____	No. _____		
I hereby certify and return that I <input type="checkbox"/> have personally served, <input type="checkbox"/> have legal evidence of service, <input type="checkbox"/> have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below. <input type="checkbox"/> I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)					
Name and title of individual served (if not shown above)				<input type="checkbox"/> A person of suitable age and discretion then residing in defendant's usual place of abode	
Address (complete only different than shown above)				Date	Time <input type="checkbox"/> am <input type="checkbox"/> pm
				Signature of U.S. Marshal or Deputy	
Service Fee	Total Mileage Charges including endeavors	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal* or (Amount of Refund*)

REMARKS:

PRINTS COPIES:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

Form USM-285
Rev. 12/15/80
Automated 01/00

Print Requester	Booking #	Request Date	Requested Ink	Room	Location
RICHARD LASK	A748772	11/05/24 18:47 EST	Black/White	CRAWFORD-A/B	NCCI,CR,A,0024,0000

From: Sonya Fox on 11/03/24 20:22 EST

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Chandler Rule, Trooper
3501 NW Highway 24,
Topeka, KS 66618

9590 9402 8403 3156 1723 21

Article Number (Transfer from service label)
9589 0710 5270 2029 7812 88

Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature
x *Angela Jackson* ☐ Agent ☐ Addressee

B. Received by (Printed Name) *Angela Jackson* C. Date of Delivery *10/23/24*

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™
<input type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Collect on Delivery Restricted Delivery	

1 Delivery (over 5000)

Domestic Return Receipt

Exhibit - "B", pg. 1 of 1.

Print Requester	Booking #	Request Date	Requested Ink	Room	Location
RICHARD LASK	A748772	11/04/24 13:06 EST	Black/White	CRAWFORD-A/B	NCCI,CR,A,0024,0000

From: Sonya Fox on 10/26/24 09:47 EDT

280-86 7

5-730

MAINT
to back
NO R

10/10

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Matthew Tector
200 E Campus View Blvd
Suite 200
Columbus, OH 43235

9590 9402 8403 3156 1723 38

2. Article Number (Transfer from service label)

9589 0710 5270 2029 7813 01

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X *King Collins* ☒ Agent ☐ Addressee

B. Received by (Printed Name)
King Collins

C. Date of Delivery
10/18/24

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery

☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

icted Delivery

S Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

Exhibit - "C", pg. 1 of 1.

Print Requester	Booking #	Request Date	Requested Ink	Room	Location
RICHARD LASK	A748772	11/04/24 13:05 EST	Black/White	CRAWFORD-A/B	NCCI,CR,A,0024,0000

From: Sonya Fox on 10/26/24 09:45 EDT


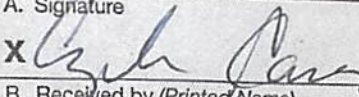
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p>Brett Spencer, Judge 110 W Main St West Union OH 45693</p> <p></p> <p>9590 9402 8403 3156 1723 45</p> <p>Article Number (Transfer from service label)</p> <p>9589 0710 5270 2029 7812 95</p>	<p>A. Signature X </p> <p><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery</p> <p><input type="checkbox"/> Priority Mail Express <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Delivery <input type="checkbox"/> Signature Confirmation <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p>Restricted Delivery</p>

Exhibit - "D" pg. 1 of 1.

Mr. Richard Lask, #A748-772
North Central Correctional
Institution
P.O. Box 1812
Marion , Ohio 43302-1812

"LEGAL MAIL"

COLUMBUS OH 43260
24 DEC 2024 PM 5 L



U.S. District Court
Southern District of Ohio
Office of the Clerk
Potter Stewart US Courthouse Room 103
100 East Fifth Street
Cincinnati , Ohio 45202

"LEGAL MAIL"

45202-397699

